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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,024	07/02/2003	Peter B. Brazas	14078	5863

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EXAMINER

GILMAN, ALEXANDER

ART UNIT PAPER NUMBER

2833

DATE MAILED: 03/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/612,024

Applicant(s)

BRAZAS, PETER B.

Examiner

Alexander D Gilman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/02/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amdahl in view of Burton (US 6,244,735).

With regard to claims 1-3, 5, 9, 11, 13, 14, 16, 18, 20, Amdahl (US 5,653,548) discloses an assembly, comprising

an anchor panel (col. 4, line 4) defining a hole (to receive the ball B);

a ball socket (200) disposed in said hole and secured to said anchor panel (with the portion M), said socket including (Fig. 2, 3b):

a ring;

a plurality of arches (222) spanning said ring on one side thereof

to generally define a bucket having an opening thereto through said ring;

and inwardly directed fingers (320); and

a ball stud having a shaft and a ball at an end of said shaft, said

ball disposed in said basket and secured therein by said fingers.

Amdahl does not disclose securing the ball socket using a four socket panels, each said socket panel having an outwardly directed ledge and outwardly directed tabs, said tabs and said ledges being shifted in a radial direction.

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Burton (US 56,244,735) a plurality (four) of socket panels (26), each said socket panel having an outwardly directed ledge and outwardly directed tabs (34) said tabs and said ledges being shifted in a radial direction (Fig. 4a).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to secure the Amdahl's ball socket , as taught by Burton, if attachment of the ball socket to a mounting structure is required in the opening for ball socket.

With regard to claims 4, 6, 8, Amdahl when modified by Burton, discloses (Burton) the ledges and the tabs being spaced at a distance equal to thickness of the panel.

With regard to claims 7, 15 Amdahl when modified by Burton, discloses (Amdahl) the basket angling inwardly.

With regard to claims 10, 17 Amdahl when modified by Burton, discloses (Burton) the ledges (28) having outer surfaces sloped.

With regard to claims 12, 19, Amdahl discloses the ball socket made of plastic (col. 4, lines 43-45)

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burton (US 6,113,301) in view of Burton (US 6,244,735).

With regard to claims 1-3, 5, 9, 11, 13, 14, 16, 18, 20, Burton (US 6,113,301) discloses (Fig. 10, 11) an assembly, comprising

a ball socket (86) said socket including (Fig. 11) a ring;
a plurality of arches (84) spanning said ring on one side thereof
to generally define a bucket having an opening thereto through said ring;
and inwardly directed fingers (82); and
a ball stud (44) having a shaft and a ball at an end of said shaft, said
ball disposed in said basket and secured therein by said fingers.

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Burton (US 6,113,301) does not disclose securing the ball socket using a four socket panels, each said socket panel having an outwardly directed ledge and outwardly directed tabs, said tabs and said ledges being shifted in a radial direction.

Burton (US 6,244,735) a plurality (four) of socket panels (26), each said socket panel having an outwardly directed ledge and outwardly directed tabs (34) said tabs and said ledges being shifted in a radial direction (Fig. 4a).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to secure the Burton (US 6,113,301) ball socket, as taught by Burton(US 6,244,735), if attachment of the ball socket to a mounting structure is required in the opening for ball socket.

With regard to claims 4, 6, 8, Burton (US 6,113,301) when modified by Burton (US 6,244,735), discloses (Burton, US 6,244,735) the ledges and the tabs being spaced at a distance equal to thickness of the panel.

With regard to claims 7, Burton (US 6,113,301) when modified by Burton (US 6,244,735), discloses (Amdahl) the basket angling inwardly.

With regard to claims 10, 17 Burton (US 6,113,301) when modified by Burton (US 6,244,735), discloses (Burton, US 6,244,735) the ledges (28) having outer surfaces sloped.

With regard to claims 12, 19, Burton (US 6,113,301) discloses the ball socket made of plastic.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander D Gilman whose telephone number is 571 272-2004. The examiner can normally be reached on Monday-Friday, 10:30 a.m. - 8:00 p.m.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571 272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

02/06/2004

A handwritten signature in black ink that reads "Alex Gilman". The signature is written in a cursive, flowing style.

**ALEXANDER GILMAN
PRIMARY EXAMINER**